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OFFICE OF GENERAL
COUNSEL

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February 2, 2012

Jeff S. Jordan
Supervising Attorney
Complaints Examination & Legal Administration
Office of General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: Matter Under Review 6521

Dear Mr. Jordan,

The Republican Party of Minnesota is in receipt of your correspondence of January 19, 2012, regarding a complaint filed by CREW and designated as Matter Under Review (MUR) 6521. CREW's complaint alleges violations of the law that were previously considered in MUR 5926. In addition, CREW alleges knowing and willful violations of the Conciliation Agreement entered into in connection with MUR 5926. This allegation is absurd and absolutely baseless, although it is fully consistent with CREW's ill-informed, irresponsible and hyper-partisan *modus operandi*.

CREW cites a news report indicating that an internal financial review conducted by the Republican Party of Minnesota discovered additional debt, and that the Party's total debt figure was larger than previously known. CREW suggests that the discovery of new information somehow violates the Party's Conciliation Agreement.

The Conciliation Agreement states that "RPM failed to disclose *at least* \$994,319 in outstanding debt to vendors during 2006 in violation of 2 U.S.C. § 434(b)" (emphasis added). That Agreement references multiple internal reviews, and obligates the Party to "amend the relevant 2006 disclosure reports to accurately reflect debts and obligations referenced at paragraphs IV.8 and IV.9 within 60 days." (Paragraph IV.9 includes the reference to "at least \$994,319 in outstanding debt.") Thus, the Conciliation Agreement specifically contemplated that the Party's total debt figure could change in the course of the review and amending process.

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CREW has not identified a violation of the law that the Commission has not already considered. The Republican Party of Minnesota cannot be subjected to a second enforcement matter concerning the same violations. It follows, then, that CREW's complaint should be dismissed for failing to set forth specific facts that, if true, would constitute a violation of the Federal Election Campaign Act. See Statement of Reasons in MUR 4960 (Hillary Clinton).

The Republican Party of Minnesota is in continuous contact with Reports Analysis Division personnel regarding the amendments required to be filed pursuant to the Conciliation Agreement, including the filing of amendments stemming from the more recently discovered omissions noted in the media. The Party is in compliance with the Conciliation Agreement, and the reporting record will be fully amended shortly.

We appreciate the assistance of FEC staff in resolving this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Josefiak', with a stylized flourish at the end.

Thomas J. Josefiak

Michael Bayes

Counsel to the Republican Party of Minnesota

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STATEMENT OF DESIGNATION OF COUNSEL
Please use *one* form for each Respondent/Entity/Treasurer
FAX (202) 219-3923

MUR # 6521

NAME OF COUNSEL: Thomas J. Josefiak; Michael Bayes

FIRM: Holtzman Vogel PLLC

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The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

2-2-12
Date

[Signature]
Respondent/Agent -Signature

Treasurer
Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: Republican Party of Minnesota; Bron Scherer, Treasurer

MAILING ADDRESS: 525 Park Street, Suite 250, St. Paul, MN 55103
(Please Print)

BRON J-SCHERER, SECRETARY - RPN

TELEPHONE- HOME ()

BUSINESS (507) 649-1903

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation

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